

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JAMES WEIR)	
Plaintiff(s))	
)	
v.)	Case No. 3:16-3150
)	Judge Michelson/Frensley
OFFICER <i>f/n/u</i> EVERETT)	
Defendant(s))	

REPORT AND RECOMMENDATION

The undersigned previously entered an Order on August 28, 2017 (Docket No. 19), requiring Plaintiff to file with the Court a written statement informing the Clerk's Office of his current address. The Order required Plaintiff to file such explanation with ten (10) days of the date of entry of that Order, and it also stated in pertinent part, "If Plaintiff fails to comply with the provisions of this Order, the undersigned will recommend that this action be dismissed without prejudice."

As of the date of the filing of this Report and Recommendation, Plaintiff has filed to comply with the Court's previous Order. Additionally, the referenced Order entered August 28, 2017, was returned to the Clerk's Office with "Return to Sender - Refused - Unable to Forward" stamped on the envelope. Therefore, the undersigned recommends that this action be dismissed without prejudice.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has fourteen (14) days after service of this Report and Recommendation in which to file any written objections to the Recommendation with the District Court. Any party opposing said objections shall have fourteen (14) days after service of any objections filed to this Report in which to file any response to said objections. Failure to file specific objections within fourteen (14) days of service

of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *See Thomas v. Arn*, 474 U.S. 140, 106 S.Ct. 466, 88 L. Ed. 2d 435 (1985), *reh'g denied*, 474 U.S. 111 (1986); 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72.



JEFFERY S. FRENSLEY
United States Magistrate Judge